

01-25-02

Sector 8
PATENT
660057-2005

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Michael Conor MINOGUE
Michael Louis CROWE

U.S. Appln. No. : 09/902,287

U.S. Filing Date : July 10, 2001

Title of Invention : AN ELECTROTHERAPY DEVICE AND
METHOD

01/29/2002 AOSMANI 00000050 09902287

01 FC:217 460.00 OP

745 Fifth Avenue
New York, NY 10151

EXPRESS MAIL

Mailing Label Number: EV 001582165 US

Date of Deposit: January 21, 2002

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United States Postal Service "Express Mail Post Office to
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above and is addressed to the Assistant Commissioner for Patents
Washington, DC 20231.

Edward Nay

(Typed or printed name of person mailing paper or fee)

Edward Nay

(Signature of person mailing paper or fee)

SUPPLEMENTAL RESPONSE TO NOTICE TO FILE MISSING
PARTS OF NON PROVISIONAL APPLICATION AND
PETITION FOR EXTENSION OF TIME

Assistant Commissioner for Patents
Washington, D.C. 20231
Box Missing Parts

Dear Sir:

Supplemental to the NOTICE TO FILE MISSING PARTS OF APPLICATION,
mailed August 29, 2001, enclosed is the Abstract required under 37 CFR 1.72(b). A copy of the
aforementioned Notice and a check for an extension-of-time to extend the period for response to

the Notice to File Missing Parts mailed August 29, 2001, i.e., up to and including January 29, 2002 are enclosed. Applicants hereby enclose a check in the amount of \$460.00 to cover the cost of the extension (small entity).

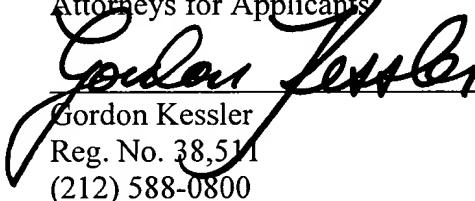
In view of the foregoing, it is believed that the above-identified application is now complete, and the early examination thereof on its merits is solicited.

Please charge any additional fees required for the filing of this application or credit any overpayment to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By:



Gordon Kessler
Reg. No. 38,511
(212) 588-0800

Encls. - Abstract
- Copy of Notice to File Missing Parts



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JAN 21 2002
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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/902,287	07/10/2001	Michael Conor Minogue	

CONFIRMATION NO. 8694
FORMALITIES LETTER

FROMMER LAWRENCE & HAUG LLP
745 Fifth Avenue
New York, NY 10151



OC00000006492400

Date Mailed: 08/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/29/2002 AOSHAN1 00000051 500320 09902287 **FILED UNDER 37 CFR 1.53(b)**

01 FC:205 65.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

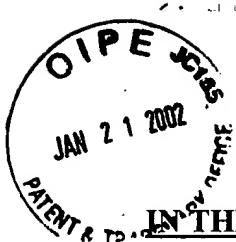
- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT
660057-2005

#4

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Applicant(s) : Michael Conor MINOGUE
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Edward Nay
(Typed or printed name of person mailing paper or fee)

Edward Nay
(Signature of person mailing paper or fee)

REQUEST FOR REFUND

Office of Finance
Refund Section
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is a Request For Refund of \$460.00 that is filed concurrently herewith with a
Supplemental Response to Notice to File Missing Parts of Non Provisional Application.

Applicants failed to provide an Abstract with the application as filed, and in
response to the Notice to File Missing Parts until now. Applicants submit that the Abstract is not

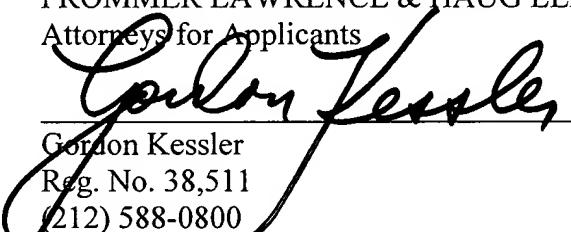
a statutory requirement for submission of an application, and indeed is not noted in section 1.52(f) or section 1.16(e) as being an item for which a fee for completion of application subsequent to filing is required. Indeed, Applicants submit that the application was complete, even without the Abstract, upon submission of the Declaration. Applicants therefore further submit that an Abstract should not be required for a complete filing, and therefore should not require an extension of time.

It is respectfully requested that the PTO credit our Deposit Account No. 50-0320 with the \$460.00.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By:



Gordon Kessler
Reg. No. 38,511
(212) 588-0800